

**EX PARTE APPLICATION**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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PROTECT OUR COAST NJ; ACK FOR WHALES; Docket No: 25-cv-6890  
CLEAN OCEAN ACTION, INC.;  
FISHERMAN'S DOCK COOPERATIVE;  
SEAFREEZE SHORESIDE INC.;  
BELFORD SEAFOOD COOPERATIVE;  
MISS BELMAR, INC.; CAPTAIN ALAN SHINN;  
AMERICAN SEAFOOD LLC;  
CAPTAIN GARY STONE; OLD SQUAW FISHERIES, INC.;  
HERITAGE FISHERIES, INC.; BKS FISHERIES, INC.;  
CAPTAIN SHAWN MACHIE; LUND'S FISHERIES, INC.;  
LONG ISLAND COMMERCIAL FISHING ASSOCIATION, INC.  
HON. JOHN A. PETERSON, Jr., Mayor of Seaside Park, New Jersey,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA;  
DOUG BURGUM, in his Official  
Capacity as Secretary of the Interior;  
the BUREAU OF OCEAN ENERGY MANAGEMENT  
of the Department of the Interior;  
WALTER D. CRUICKSHANK, in his Official Capacity as  
Acting Director of the Bureau of Ocean Energy  
Management; EQUINOR ASA;  
EQUINOR US; EMPIRE OFFSHORE WIND LLC;  
EMPIRE WIND 2 LLC; EMPIRE LEASEHOLDER LLC  
and THE KINGDOM OF NORWAY,

Defendants.

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**EX PARTE ORDER TO SHOW CAUSE SEEKING TEMPORARY AND  
PRELIMINARY RESTRAINTS**

THIS MATTER having been brought before the Court by Plaintiffs, as an ex parte application, through their counsel, by Order to Show Cause seeking a temporary restraining order and preliminary injunction pursuant to F.R.C.P. 65 and L. Cv. R. 65.1, and upon the Complaint, Declaration, and Memorandum of Law submitted herewith, the Court having determined that good and sufficient reasons exist to proceed by way of Order to Show Cause, and for good cause shown.

IT IS on this \_\_\_\_\_ day of 2025,

ORDERED that the Defendants appear and show cause on the \_\_\_\_\_ day of June, 2025, before the United States District Court for the District of New Jersey, the Hon. Georgette Castner, presiding, at the United States Courthouse in Trenton, New Jersey, at \_\_\_\_\_ o'clock or as soon thereafter as counsel can be heard, why an order should not be entered:

1. Preliminarily enjoining and restraining the Defendants from proceeding with installation and construction activities in connection with the Empire Wind offshore wind turbine project in Lease Area OCS-A-0512.

2. Granting such other relief as the Court deems equitable and just.

**AND IT IS FURTHER ORDERED THAT:**

1. Pending further hearing on this Order to Show Cause, Defendants are temporarily enjoined and restrained from proceeding with installation and construction activities in connection with the Empire Wind offshore wind turbine project in Lease Area OCS-A-0512.

2. A copy of this Order to Show Cause, Complaint, supporting declaration and exhibits, and the Memorandum of Law submitted in support of this application, together with a summons, shall be served upon Defendants by electronic means via email addresses indicated by defendants or their counsel as used in their regular course of business for receipt of legal communications or by certified mail, overnight courier or by hand delivery to their known office locations, such service to be completed within \_\_\_\_ days of the date hereof.

3. The Plaintiffs must file with the court a proof of service of the pleadings on the Defendants not later than three (3) days before the return date.

4. Defendants shall file and serve a written response to this Order to Show Cause and proof of service by \_\_\_\_\_, 2025.

5. The Plaintiffs must file and serve any written reply to the Defendants' opposition to the Order to Show Cause by \_\_\_\_\_, 2025.

6. If the Defendants do not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the Plaintiffs file a proof of service at least three days before the return date.

7. The Court will notify the parties whether it will entertain oral argument on the return date of the Order to Show Cause.

SO ORDERED:

\_\_\_\_\_, U.S.D.J